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Docket No.: 240298US0

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

ATTORNEYS AT LAW

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RE: Application Serial No.: 10/618,656

Applicants: Toshiya MATSUBARA, et al.

Filing Date: July 15, 2003

For: PROCESS FOR PRODUCING
INORGANIC SPHERES

Group Art Unit: 1754

Examiner: COLLEEN P. COOKE

SIR:

Attached hereto for filing are the following papers:

Response to Restriction Requirement

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
TOSHIYA MATSUBARA, ET AL. : EXAMINER: COLLEEN P. COOKE
SERIAL NO: 10/618,656 :
FILED: JULY 15, 2003 : GROUP ART UNIT: 1754
FOR: PROCESS FOR PRODUCING :
INORGANIC SPHERES

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement mailed May 10, 2005, Applicants elect, with traverse, Group I: Claims 1-19, drawn to a process for producing inorganic spheres.

REMARKS

The Examiner has required restriction of the above-identified application as follows:

Group I: Claims 1-19, drawn to a process for producing inorganic spheres; and

Group II: Claims 20-23, drawn to an apparatus for producing inorganic spheres.

Applicants have elected, with traverse, Group I: Claims 1-19, for further prosecution.

In regard to Groups I and II, the Office has characterized the relationship between these two groups as process and apparatus for its practice. Citing MPEP §806.05(e), the Office suggests that the apparatus as claimed can be used to perform another and materially different process such as "the spraying or distribution of any liquid". However, the Office